

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Uwe MICHELSEN et al.

Examiner: WILDER, CYNTHIA B

Serial No.: 10/582,637

Group Art Unit: 1637

Filed: JUNE 12, 2006

Confirmation Number: 2067

Title: **METHOD AND KIT FOR THE ISOLATION OF RNA**

RESPONSE TO RESTRICTION REQUIREMENT

MAIL STOP AMENDMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In response to the telephonic Restriction Requirement initiated April 18, 2008, Applicants hereby elect, with traverse, Group I (claims 1-5), drawn to a method for the isolation of RNA from samples.

The requirement for restriction is respectfully traversed insofar as the Office Action has not demonstrated that an undue searching burden would be required to examine all groups and certainly not to examine at least more than one of the groups (for example, Groups I-II, which are *generically* directed to isolation of RNA from samples). "If search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct invention." (Emphasis added.) See, M.P.E.P. §803.

Withdrawal of the restriction requirement, in its entirety, is earnestly solicited.

Should the Restriction Requirement still be maintained, Applicants will seek reentry of any withdrawn claims once allowable subject matter has been determined.

The Commissioner is hereby authorized to charge any fees associated with this response to Deposit Account No. 13-3402.

Respectfully submitted,

/Anthony J. Zelano/

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